

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WHO MIDCO CORPORATION,

Plaintiff,

v.

Civil Action No. 05-049-JJF

JOHN DOES ONE through TEN,

Defendants.

NOTICE OF DISMISSAL

Please take notice that, pursuant to Fed. R. Civ. P. 41(a)(1), plaintiff WHO Midco Corporation dismisses this action without prejudice.

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Maryellen Noreika

Maryellen Noreika (#3208)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
Attorneys for Plaintiff
WHO Midco Corporation

OF COUNSEL:

David J. Stewart
Demetrius T. Lockett
Alston & Bird, LLP
1201 W. Peachtree Street
Atlanta, GA 30309-3424
(404) 881-7000

September 15, 2005